

**Regular Meeting of the Legal Committee
Held in the Conference Room at City Hall
July 28, 2016**

Notice of this meeting was given to the public in compliance with Sections 10-15-1 through 10-15-4 NMSA 1978 and Resolution 15-56.

CALL TO ORDER

The meeting convened at 4:07 p.m. with Chairman Perry presiding; Councilors Best and Oropesa present and Councilor Foster being absent.

Staff present: William Zarr, Mike Mathews and Scott Stark.

Guests present: David Mantay, David Heckman and John Mulcahy

APPROVAL OF AGENDA

Councilor Best moved to approve the July 28, 2016 Legal Committee meeting agenda. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

APPROVAL OF MINUTES

Councilor Best moved to approve the minutes from the May 26, 2016 regular Legal Committee meeting. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

NON-ACTION ITEMS

Discussion of proposed draft of ordinance to license and regulate Body Art Practices (tattooing, etc.) Mr. Zarr discussed the proposed ordinance stating it would regulate tattooing and similar practices within the City. The Legal Committee shared their concerns which include:

- Unlicensed artists
- Health concerns
- Purchasing tattoo equipment online
- Fine amounts

REGULAR ITEMS

To consider authorizing CAVU Aerospace, Inc., an Arkansas Corporation, to renew its current lease agreement on Building No. 61 and the fenced area surrounding the building. Mr. Stark discussed the CAVU Aerospace Inc. request. The building is 1,425 square feet and is leased for the purpose of aircraft part shipping and. The new monthly rent amount is \$257; \$3,084 annually. CAVU Aerospace Inc. has been a customer since August 2015 and the new term is from August 1, 2016 through July 31, 2017. Councilor Best moved to approve and send on Consent agenda CAVU Aerospace Inc., an Arkansas Corporation, to renew its current lease agreement on Building No. 61 and the fenced area surrounding the building. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

To consider authorizing J&D Fiberglass, LLC, a Liability Corporation, to renew its current lease agreement on Building No. 755. Mr. Stark presented the J&D Fiberglass LLC request stating that the building is 3,669 square feet and is leased for the purpose of manufacturing. The new monthly rent amount is \$582; \$6,984 annually. Fiberglass LLC has been a customer since September 2010 and the new term is from September 1, 2016 through August 31, 2017. Councilor Best moved to approve and send on Consent agenda J&D Fiberglass LLC, a Liability Corporation, to renew its current lease agreement on Building No. 755. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

To consider authorizing Weldon Wagner, an individual, to renew his current lease agreement on Building No. 91, Space D and joint use of the ground floor office area. Mr. Stark presented the Weldon Wagner request. The building is 4,589 square feet and is leased for the purpose of storage and maintenance of aircraft. The new monthly rent amount is \$762; \$9,144 annually. Weldon Wagner has been a customer since September 1993 and the new term is from September 1, 2016 through August 31, 2017. Councilor Best moved to approve and send on Consent agenda Weldon Wagner, an individual, to renew his current lease agreement on Building No. 91, Space D and joint use of the ground floor office area. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

To consider authorizing an amendment to the current lease with Dean Baldwin Painting LP, a Texas Corporation, to allow for rent abatement for the next phase of construction/improvements to Building No. 1083. Mr. Stark discussed the request stating that the rent abatement is for construction of 4-9 new office spaces, and the renovation and refurbishment of the management office spaces, which will involve new walls including sheet rock, HVAC, and electrical/phone/cable outlets. Dean Baldwin Painting is completing sheet metal wall covering in two of the Bays to provide a sealed environment and will supply the labor for the work. They are also requesting to replace light assemblies in the bays and throughout the facility. After asbestos testing, Dean Baldwin Painting is to remove boilers with their maintenance and facilities engineer staff, plus the cost of the asbestos sample. Dean Baldwin Painting LP is requesting rent abatement not to exceed \$136,713 in accordance with RIAC Rent Abatement Policy. David Mantay, General Manager of Dean Baldwin Painting, was present to answer any questions. Councilor Best moved to approve and send on Consent agenda the amendment to the current lease with Dean Baldwin Painting LP, a Texas Corporation, to allow for rent abatement not to exceed \$143,885.50 for the next phase of construction/improvements to Building No. 1083 be completed within 60 days and that all boilers and scrap metal be returned to the City of Roswell. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

To consider authorizing an amendment to the current lease with Integration Innovation, Inc., an Alabama Corporation, to allow for rent abatement on modifications and improvements to the interior of Building No. 1000. Mr. Stark discussed the Integration Innovation, Inc., request. The rent abatement request is in the amount of \$40,046.40 and is for the improvements to building 1000. Councilor Best moved to approve and send on Consent agenda the amendment to the current lease with Integration Innovation, Inc., an

Alabama Corporation, to allow for rent abatement on modifications and improvements to the interior of Building No. 1000 with the provision that Integration Innovation, Inc. provide supporting documentation by the next City Council meeting. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

To consider authorizing the assignment of the current lease with Birdman Air Enterprises, Inc., a New Mexico Corporation, to CAVU Aerospace, Inc. Mr. Stark discussed the request. Birdman Air Enterprises Inc., leases buildings 1770 and 733 for the purpose of an office and storage of tools and parts. The building space is 15,420 square feet. They have been a customer since July 2008. Councilor Perry moved to approve and send on Consent agenda the assignment of the current lease with Birdman Air Enterprises Inc., a New Mexico Corporation, to CAVU Aerospace Inc. on or before September. Councilor Oropesa was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

OTHER BUSINESS

Discussion and vote on recommending resolution pertaining to vandalism and theft of political signs. Mr. Zarr discussed the proposed resolution. Mr. Heckman expressed his concerns on vandalism and theft to political signs due to the high emotional content of the election. He would like for the City to educate the public that vandalism and theft is not a joke or a petty crime and that it could escalate into violence. Mr. Heckman would like to see that the crime be fined a minimum of \$200 for the first offense. Councilor Oropesa moved to approve and send to full City Council a resolution pertaining to vandalism and theft of political signs. Councilor Best was the second. A voice vote was unanimous and the motion passed with Councilor Foster being absent.

ADJOURN

Meeting adjourned at 5:34 p.m.